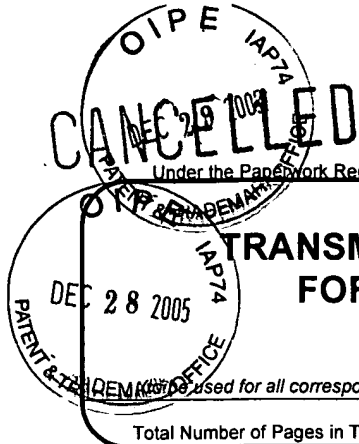


12 - 29 - 05

JFW



PTO/SB/21 (09-04)  
 Approved for use through 07/31/2006. OMB 0651-0031  
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>	Application Number	10/767,329	
	Filing Date	01/29/2004	
	First Named Inventor	Sean D. Monahan	
	Art Unit	1615	
	Examiner Name	Vanik, David L.	
Total Number of Pages in This Submission	24	Attorney Docket Number	Mirus.041.01

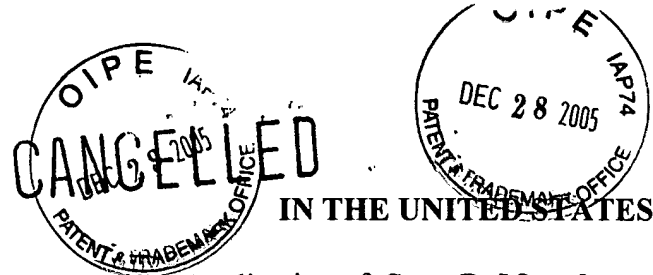
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="text"/> Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Mirus Bio Corporation		
Signature			
Printed name	Kirk Ekena		
Date	12/28/2005	Reg. No.	56,672

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Kirk Ekena	Date	12/28/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Sean D. Monahan, )  
Vladimir G. Budker, Kirk Ekena, )  
Lisa Nader )  
Serial No.: 10/767,329 )  
Filed: 01/29/2004 )  
Group Art Unit: 1615 )

Examiner: Vanik, David L.

For: Protein and Peptide Delivery to Mammalian Cells In Vitro

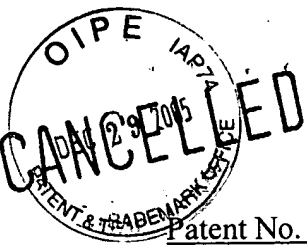
INFORMATIONAL STATEMENT

Commissioner of Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. 1.56, applicant hereby calls to the attention of the Patent and Trademark Office the publications listed on the attached PTO 1449. This information statement supplements the previously filed information statement.

No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.



US patent

<u>Patent No.</u>	<u>Applicant</u>	<u>Issue date</u>
US 5,858,398	Cho et al.	01/12/1999
US 5,516,703	Caldwell et al.	05/14/1996
US 4,589,538	Ribi et al.	08/22/1999

Foreign patent publication

<u>Publication No.</u>	<u>Applicant</u>	<u>Publication date</u>
EP 0 335 133	Abbott Laboratories	03/06/1989

REFERENCES CITED

Maa et al. "Biopharmaceutical powders: particle formation and formulation considerations." Curr. Pharm. Biotech. 2000 Vol. 1 p. 283-302

Applicant respectfully requests that these publications be expressly considered during the prosecution of this application and made of record herein and appear among the 'References Cited' on any patent to issue herefrom.

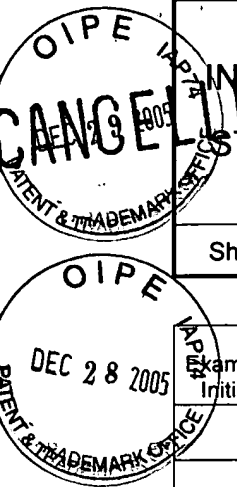
Respectfully submitted,

Kirk Ekena Reg. No. 56,672  
Mirus Bio Corporation  
505 S. Rosa Rd.  
Madison, WI 53719  
(608) 441-2829

I hereby certify that this correspondence is being sent by United States Postal Service mail to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on:

12/28/05

Kirk Ekena



<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<i>Application Number</i>	<b>10/676,329</b>
				<i>Filing Date</i>	<b>01/29/2004</b>
				<i>First Named Inventor</i>	<b>Sean D. Monahan</b>
				<i>Art Unit</i>	<b>1615</b>
				<i>Examiner Name</i>	<b>Vanik, David L.</b>
Sheet	1	of	1	<i>Attorney Docket Number</i>	<b>Mirus.041.01</b>

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code			
		US-5,858,398	01/12/1999	Cho et al.	
		US-5,516,703	05/14/1996	Caldwell et al.	
		US-4,589,538	08/22/1999	Ribi et al.	

**FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION**

Examiner Initials	Document Number	Publication Date	Country or Patent Office	Class	Sub Class	Transl.	
						yes	no
	EP 0335 133	03/06/1989	Abbott Laboratories				

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No.		T
		Maa et al. "Biopharmaceutical powders: particle formation and formulation considerations." Curr. Pharm. Biotech. 2000 Vol. 1 p. 283-302	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--